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TRANSMITTAL FORM

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		Application Number	10/829,098
		Filing Date	04/21/2004
		First Named Inventor	Takahiro Tokunaga, et al.
		Art Unit	3753
		Examiner Name	John K. Ford
Total Number of Pages in This Submission		Attorney Docket Number	4041K-000197

ENCLOSURES (check all that apply)

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Remarks

The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name Michael J. Schmidt	Reg. No. 34,007
Signature			
Date	April 7, 2005		

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4-8-05

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/829,098

Filing Date: 04/21/2004

Applicant: Takahiro Tokunaga, et al.

Group Art Unit: 3753

Examiner: John K. Ford

Title: AIR-CONDITIONING UNIT WITHOUT AIR-MIX DOOR

Attorney Docket: 4041K-000197

Director of The United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION OF SPECIES

Sir:

In response to the Office Action mailed March 10, 2005, Paper No./Mail Date 03022005, please consider the following.

The Examiner has required restriction to one of the following inventions under 35 U.S.C. § 121:

- I. Claims 1, 4, 6-11, 14 and 15, drawn to a heating & cooling system, classified in class 165, subclass 202.
- II. Claims 2, 5, 12 and 13, drawn to a cooling unit and bypass, classified in class 62, subclass 244.

III. Claims 3, 5, 16 and 17, drawn to a heating unit and bypass, classified in class 237, subclass 12.3A.

Applicants, without traverse, respectfully request the Examiner to proceed with Invention I defined by Claims 1, 4, 6-11, 14 and 15. Applicants request that the non-elected Claims be held in abeyance for further prosecution in future divisional and/or continuation applications.

RESPONSE TO ELECTION OF SPECIES

The Examiner has required an election of species pursuant to 35 U.S.C. § 121 to one of the following patentably distinct species:

- I. The species principally illustrated in Figures 1-5;
- II. The species principally illustrated in Figure 6;
- III. The species principally illustrated in Figure 7;
- IV. The species principally illustrated in Figure 8;
- V. The species principally illustrated in Figure 9;
- VI. The species principally illustrated in Figure 10;
- VII. The species principally illustrated in Figure 11;
- VIII. The species principally illustrated in Figure 12;
- IX. An indeterminant number of additional variant species (not illustrated) that are disclosed on page 15, line 36 – page 17, line 7.

Applicants, without traverse, respectfully request the Examiner to proceed with Species I principally illustrated in Figures 1-5. Applicants believe that Claims 1, 6, 7, 9 and 10 read on the elected species. Applicants request that the non-elected Claims be

held in abeyance for possible rejoinder and/or further prosecution in future divisional and/or continuation applications.

CONCLUSION

It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this Response is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

By:


Michael J. Schmidt
Reg. No. 34,007

Dated: April 7, 2005
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MJS/pmg